



January 30, 2017

Karen Staha
Office of Policy Development and Research
Room N5641
Employment and Training Administration
U.S. Department of Labor
200 Constitution Ave. NW.
Washington, DC 20210
Submitted Electronically

Re: Comments regarding Docket ID ETA-2017-0001, *Agency Information Collection Activities; Comment Request; Workforce Innovation and Opportunity Act (WIOA) Common Performance Reporting*

Dear Ms. Staha,

Indiana Disability Rights is a state agency that advocates for and protects the rights and interests of individuals with disabilities. We administer Indiana's Client Assistance Program (CAP), which provides advocacy for applicants to and clients of Vocational Rehabilitation (VR). Indiana Disability Rights also works under additional grants designed to enhance employment for individuals with disabilities. As such, it offers the following commentary regarding proposed amendments to the WIOA common performance reporting information collection request.

We believe that the proposed collection of information does have utility, particularly in regard to our efforts to ensure that individuals with disabilities are served through WIOA programming. To that end, we encourage the collection of more specific performance information in regard to services for individuals with disabilities. In particular, we request that the Department of Labor consider collecting metrics regarding:

- *Outcomes experienced by individuals with the most significant disabilities.* Currently, 34 C.F.R. § 361.88 requires that a designated state unit (DSU) report the number of individuals, and the number of individuals with significant disabilities, that exited VR. Indiana Disability Rights is concerned that competitive, integrated employment outcomes may be much lower for those categorized as "most significantly disabled," but there are no current reporting requirements regarding this metric.
- *Supported employment usage.* Through our CAP efforts, we have worked with several former VR clients that lost their job because VR did not offer sustained supported employment assistance. We are interested in learning more about the average number of months for which VR authorizes supported employment to its clients, and believe reporting on this metric would be useful. This interest is particularly pertinent now that extended supported employment is available. We would like to know whether VR agencies are making use of this new service opportunity.

Equality Through Advocacy

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- *“Minority” interpreted more broadly.* 34 C.F.R. § 361.88(a)(7) and (9) require the DSU to report specifically on those “individuals from a minority background.” Beyond racial or geographic minority status, we are interested in learning more about minorities within the disability population, including people who are deaf-blind. We are concerned that some disability minorities may not be successfully exiting the VR program due to the perceived burden in serving them.
- *Most-provided VR services.* We would be interested in learning the top service categories (i.e., transportation, postsecondary tuition, assistive technology) under which VR provides assistance to clients each year. We are concerned that some Individualized Plans for Employment (IPE) may be generated as boilerplates, and are interested in whether VR clients are forced to receive services they may not want. If, for example, we saw that 90% or more of a given state VR clients were receiving job placement services, we would suspect that IPEs are not being adequately tailored to individual clients. Conversely, if we saw that transportation assistance was rarely offered – especially in this relatively rural state – we would question whether VR was offering necessary services. Without such metrics, it is difficult to draw systemic conclusions about the adequacy of VR service provision.
- *Sheltered workshop data.* WIOA imposed new requirements that must be met before transition-aged students can enter sheltered workshops for subminimum wage. In addition to certifying that these requirements have been met, VR is also responsible for providing career counseling and referral services to current sheltered workers. We would like to see reporting requirements regarding the number of transition-aged students issued certification to enter subminimum wage work, as well as metrics on the number of sheltered workers reached by VR counseling and referral programs.

Thank you for your consideration.

Sincerely,

Melissa L. Keyes
Legal Director

Emily Munson
Staff Attorney